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Attorneys for Plaintiff and Counter-Defendant,
SURGICAL INSTRUMENT SERVICE COMPANY, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SURGICAL INSTRUMENT SERVICE
COMPANY, INC.

Plaintiff/Counter-Defendant,

v.

INTUITIVE SURGICAL, INC.,

Defendant/Counterclaimant.

Case No. 3:21-cv-03496-AMO
Honorable Araceli Martínez-Olguín

**SIS's SEPARATE REQUESTED
QUESTIONS FOR JURY
QUESTIONNAIRE**

Date: November 25, 2024
Time: 11:00 a.m.
Courtroom: 10

Pursuant to the SCHEDULE AND PRETRIAL ORDER entered in this case (Dkt. 235), Plaintiff Surgical Instrument Service Company, Inc. ("SIS") hereby submits its separate request for proposed questions to add to the Northern District's standard questionnaire (Dkt. 235, Section VI).

SIS's Separately Proposed Questions
In Addition to the Northern District Standard Questionnaire

1. Do you think that competitors should not use the courtroom to resolve business disputes about anti-competitive business practices?

2. Do you agree with the phrase “all is fair in business”? Tell us a little about that.

3. Do you feel that the laws against anti-competitive business practices are reasonable and necessary or that those laws put too much of a burden on American businesses? Yes No Please explain your answer:

4. The plaintiff in this case will ask for more than \$100 million in damages. Do you think you may have a difficult time awarding such a large sum of money even if supported by the evidence and Court’s instructions?

5. Should independent service organizations and independent repair companies have the right to compete with the equipment manufacturer for business involving repair or servicing of equipment?

6. Do you believe original manufacturers always provide a better quality of work on repairs than independent repair providers? (Check one)

Definitely Probably Probably not Definitely not

Please explain your answer:

7. If I instruct you that the laws of the United States prohibit anticompetitive behavior and business practices that unreasonably restrain, exclude or restrict competition, such as monopolization and certain kinds of product tying and exclusive dealing, will you be able to follow my instruction and apply the law despite any opinion you may have concerning the need for antitrust laws?.

1 8. Is there anything else you think we may want to know about your background, experience
2 or opinions that could influence you as a juror in a case involving robotic surgical equipment and
3 business practices in that industry?

4
5 9. Do you know anyone or have you heard about anyone being harmed by a safety issue with
6 medical equipment or a medical device? If Yes, please explain including who, what happened,
7 when this was, any injuries, and how the situation was resolved:
8

9
10 **CONCLUSION**

11 SIS respectfully requests that the Court include the above questions in the jury
12 questionnaire.
13

14 Dated: November 4, 2024

McCAULLEY LAW GROUP LLC

By: /s/ Joshua Van Hoven

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